



MAYOR AND COUNCIL REGULAR MEETING NOTICE & AGENDA

WELCOME!

The City of Tucson has a council-manager form of government. Policies are set by the Mayor and Council, who are elected by the people. Policies are carried out by the City Manager, who is appointed by the Mayor and Council. The Mayor and Council decides what is to be done; the City Manager, operating through the entire city staff, does it.

REGULAR COUNCIL MEETINGS

The Mayor and Council usually meet
at 2:00 p.m. on the first and third Mondays of the month, and
at 7:30 p.m. on the second and fourth Mondays of the month.

Copies of the agenda are available during the meeting. Additionally, the agenda as well as reference documents and proposed ordinances and resolutions are available in the City Clerk's office prior to each meeting.

To better serve everyone in the community, the chambers is wheelchair accessible, an assistive listening system for the hearing impaired is in place and closed captioning is available on cable television. A request for reasonable accommodation for persons with disabilities must be made in the City Clerk's Office by parties at least two (2) working days in advance of the scheduled meeting and can be made by calling 791-4213 or 791-2639 (TDD).

Ordinances and resolutions, the laws of Tucson, are considered during regular meetings. Those adopted with the emergency clause and the affirmative vote of five members of the Council, take effect immediately. Those adopted without the emergency clause take effect thirty days after passage. Unless the Mayor or a member of the Council requests that an ordinance or resolution be read in full, it is read by number and title only. Routine items are scheduled under the heading of Consent Agenda, which allows a number of actions to occur with a single motion.

PARTICIPATION BY THE PUBLIC

Persons attending the meeting shall observe rules of propriety, decorum, and good conduct, and refrain from impertinent or slanderous remarks. Violation of this rule shall result in such persons being barred from further audience before the governing body. A copy of the complete rules and regulations may be obtained from the City Clerk. Please turn off or put in vibrate mode all communication devices (pagers/cell phones).

The Mayor and Council often schedule public hearings on topics of interest. Pursuant to Mayor and Council Rules and Regulations, public hearings last one hour. Interested persons are invited to attend and offer comments. Additionally, Call to the Audience is reserved for comments from the public.

To address the Mayor and Council:

- Complete a speakers card and deposit it in the tray on the podium. Upon being recognized, state your name and address before proceeding into your subject matter. Speakers are limited to five-minute presentations.
- Submit written comments to the Mayor and Council (via the City Clerk) prior to and during the meeting.
- Call the Mayor and Council Citizen Comment Line at 791-4700.

Robert E. Walkup
Mayor

Shirley C. Scott
Vice Mayor

Council Members

José J. Ibarra
Ward 1

Carol W. West
Ward 2

Kathleen Dunbar
Ward 3

Shirley C. Scott
Ward 4

Steve Leal
Ward 5

Fred Ronstadt
Ward 6

Revisions to the agenda can occur up to 24 hours prior to the meeting. Contact the City Clerk at 791-4213 (TTD: 791-2639, FAX: 791-4017 or WEB SITE: <http://www.ci.tucson.az.us/clerks>), 9th floor, City Hall, 255 W. Alameda for up-to-date information Monday thru Friday, 8 a.m. to 5 p.m. [holidays excepted]. Live coverage of meeting is cablecast on Tucson 12 and on Comcast Channel 59 (Mondays only). In addition, replays of the meetings are cablecast on Tucson 12 as follows:

Tuesdays 9:00 p.m.
Wednesdays 9:00 a.m.
Sundays 9:00 a.m.

(VHS) tapes of meetings are available at the Tucson Main Library.



MAYOR & COUNCIL MEETING NOTICE & AGENDA

REGULAR MEETING

**MONDAY, OCTOBER 6, 2003 – 2:00 P.M.
MAYOR AND COUNCIL CHAMBERS
(CITY HALL, 255 WEST ALAMEDA, TUCSON, ARIZONA)**

1. ROLL CALL

2. INVOCATION AND PLEDGE OF ALLEGIANCE

INVOCATION – Pastor Vincent DeCarolis of the Church of the Cosmic Christ

PLEDGE OF ALLEGIANCE – Mayor and Council and public in attendance

PRESENTATIONS

- (a) Presentation to City Manager James Keene of the “Greater Tucson Area’s Best Workplace for Commuters” award
- (b) Proclamation - the week of October 6 to October 10, 2003 as “Minority Enterprise Development Week”
- (c) Presentation to Michael Stanford of Transportation Department for 1st place in the statewide Safe Operation of Heavy Construction Equipment Competition
- (d) Presentation by the American Public Works Association to the City of Tucson Transportation Department for the Diamondback Bridge

3. MAYOR AND COUNCIL REPORT: SUMMARY OF CURRENT EVENTS

- (a) Report from City Manager OCT6-03-521 CITY-WIDE

4. CITY MANAGER’S REPORT: SUMMARY OF CURRENT EVENTS

- (a) Report from City Manager OCT6-03-524 CITY-WIDE

5. CALL TO THE AUDIENCE:

At this time, any member of the public is allowed to address the Mayor and City Council on any issue *not listed on today's agenda*. Pursuant to the Arizona Open Meeting Law, individual Council Members may ask the City Manager to review the matter, ask that the matter be placed on a future agenda, or respond to criticism made by speakers. However, the Mayor and Council may not discuss or take legal action on matters raised during "call to the audience."

6. CONSENT AGENDA ITEMS A THROUGH F

FOR COMPLETE DESCRIPTION OF ITEMS **SEE ATTACHED CONSENT AGENDA**

Matters listed under the Consent Agenda are considered to be routine and will be enacted by one motion and one vote. There will be separate discussion of these items. If discussion is desired by members of the governing body, that item will be removed from the Consent agenda and will be considered separately.

7. LIQUOR LICENSE APPLICATIONS

(a) Report from City Manager OCT6-03-522 CITY-WIDE

(b) LIQUOR LICENSE APPLICATION(S)

New License(s)

NOTE: There are no applications for licenses scheduled for this meeting.

(c) Special Event(s)

(1)	SALPOINTE CATHOLIC HIGH SCHOOL	<u>Staff Recommendation</u>
	1545 E. Copper Street	
	Applicant: Margaret L. Gessner	Police: In Compliance
	City #T070-03, located in Ward 3	DSD: In Compliance
	Date of Event: October 25, 2003	
	(50 th Reunion for Class of 1953)	

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| (2) | BOOTSTRAPS TO SHARE
dba BICAS
Southeast corner of 4 th Avenue and 5 th Street
Applicant: Diane P. Daly
City #T080-03, located in Ward 6
Date of Event: October 25, 2003
(Non-profit fundraiser) | <u>Staff Recommendation</u>

Police: In Compliance
DSD: In Compliance |
| (3) | SAINTS PETER AND PAUL
CATHOLIC CHURCH AND SCHOOL
1436 N. Campbell Avenue
Applicant: Paul V. Leonardi
City #T083-03, located in Ward 6
Date of Event: October 18, 2003
(School Fundraiser) | <u>Staff Recommendation</u>

Police: In Compliance
DSD: In Compliance |
| (4) | MARCH OF DIMES
288 N. Church
Applicant: Nadine C. Hanson
City #T086-03, located in Ward 1
Date of Event: October 16, 2003
(Raise awareness & funds for the March of Dimes) | <u>Staff Recommendation</u>

Police: In Compliance
DSD: In Compliance |
| (5) | TUCSON PRIDE, INC.
900 S. Randolph, Reid Park DeMesster Center
Applicant: Wendy J. Bailey
City #T090-03, located in Ward 6
Date of Event: October 11, 2003
(To educate public about Gay Culture) | <u>Staff Recommendation</u>

Police: In Compliance
DSD: In Compliance
Parks & Rec.: In Compliance |
| (6) | TUCSON PARKS & RECREATION
3400 E. Camino Campestre, Hi Corbett Field
Applicant: Robert L. Martin
City #T099-03, located in Ward 6
Date of Event: October 12, 2003
(Free Tucson Symphony Concert) | <u>Staff Recommendation</u>

Police: Review in process
DSD: Review in process
Parks & Rec.: Review in process |

8. ZONING: (C9-03-16) SWIERGOL – FORT LOWELL ROAD, MH-1 TO O-2, CITY MANAGER’S REPORT

- (a) Report from City Manager OCT6-03-528 W2
- (b) Report from Zoning Examiner dated September 5, 2003

- (c) Request to rezone approximately 0.46 acres from MH-1 to O-2 zoning. Applicant: Ron Asta of Asta Planning and Zoning Company, on behalf of the property owner, John and Mary Swiergol.

The rezoning site is located south of Fort Lowell Road at the Longfellow Avenue alignment, north of the Blackledge Wash. The preliminary development plan proposes two new single-story office structures totaling 5,546 square feet of floor area.

The Zoning Examiner recommends approval of O-2 zoning. The City Manager recommends approval of O-2 zoning subject to the following conditions:

1. A development plan in substantial compliance with the preliminary development plan dated June 2003, and the Design Compatibility Report, is to be submitted and approved in accordance with Section 5.3.8. of the *Land Use Code*.
2. Locate all dumpsters and loading zones 50 feet from adjacent residential uses.
3. Building façades at rear and side are to be designed with attention to architectural character and detail of front façade, with consistent design treatment. Provide dimensional building elevations and renderings, with proposed colors and materials of new buildings, to be submitted as part of the development plan.
4. Monument sign to be incorporated into overall landscape plan, and reflecting architectural style or theme of the proposed and existing buildings.
5. Any required or proposed masonry screen walls shall be constructed of, or painted with, graffiti-resistant materials. These screen walls shall incorporate one of the following decorative materials: (a) tile, (b) stone, (c) brick, (d) textured brick/block, (e) a coarse-textured material such as stucco or plaster, or (f) a combination of the above materials.
6. All exterior mechanical equipment shall be screened from view of adjacent development and street frontages, and shall be architecturally integrated into overall design of buildings and development.
7. Provide safe and convenient pedestrian circulation systems throughout development site using raised or textured pedestrian crosswalks in all locations where the pedestrian system crosses access lanes, to be aligned with onsite and offsite pedestrian crossings.

8. Water harvesting techniques shall be utilized by conveying all roof runoff into landscape areas, prior to discharging in retention areas.
9. Provide microclimate, with canopy trees and shrubbery throughout the development site, especially along pedestrian walkways and vehicular parking areas. Provide increased dense landscaping along eastern and southern property lines, to include canopy trees located every 20 to 30 feet.
10. The developer shall agree to vehicular and pedestrian cross-access and is encouraged to secure a vehicular and pedestrian cross-access agreement with the adjoining property to the west.
11. All lighting to be low sodium type, shielded, directed downward and directed away from residential uses, no more than 16 feet in height. Provide a typical for lighting to include dimensions and materials.
12. An archaeological assessment and survey shall be performed by a qualified archaeologist before any grading or other ground modification takes place. If cultural features or remains are found, testing and data recovery shall be completed as needed. Copies of testing plans, testing reports, data recovery plans and final reports shall be submitted to and approved by the City Historic Preservation Office prior to construction work commencing. If, during construction, human remains and associated burial items are discovered, ground disturbing activities in the vicinity of the discovery will cease, the discovery site will be secured, and the Arizona State Museum will be immediately notified as required under A. R. S. 41-865.
13. “Safe by Design” concepts shall be incorporated in the subdivision plat for review by the Tucson Police Department.
14. Any relocation, modification, etc., of existing utilities and/or public improvements necessitated by the proposed development shall be at no expense to the public.

Five years are allowed from the date of initial authorization to comply with all Code requirements and conditions of rezoning.

Zero (0) written approvals and zero (0) written protests have been received.

A simple majority vote will be necessary to adopt an ordinance rezoning the subject property once the conditions of rezoning are met.

9. ZONING: (C9-97-08) HOUGHTON - IRVINGTON LP – IRVINGTON ROAD, MH-1 ZONING, CHANGE OF CONDITIONS – ORDINANCE ADOPTION

- (a) Report from City Manager OCT6-03-529 W4
- (b) This is a request for a change of conditions to allow construction of two-story site-built homes in lieu of previously approved one-story homes. The property is located northwest of the northwest corner of Irvington and Houghton Roads. Applicant: Michael Shipione of Full Circle Engineering on behalf of the property owners, Houghton-Irvington LP.

The City Manager recommends approval of the requested change of conditions and adoption of the ordinance as presented.

- (c) Ordinance No. 9904 relating to zoning: amending Ordinance No. 9858 to amend condition 1(C) for approval of the zoning district boundaries in the area located at the northwest corner of Houghton Road and Irvington Road in Case C9-97-08, Houghton/Irvington LP–Irvington Road, SR to MH1; and declaring an emergency.

10. APPOINTMENTS TO BOARDS, COMMISSIONS AND COMMITTEES

- (a) Report from City Manager OCT6-03-523 CITY-WIDE

11. CALL TO THE AUDIENCE

At this time, any member of the public is allowed to address the Mayor and City Council on *any issue*. Pursuant to the Arizona Open Meeting Law, individual Council Members may ask the City Manager to review the matter, ask that the matter be placed on a future agenda, or respond to criticism made by speakers. However, the Mayor and Council may not discuss or take legal action on matters raised during "call to the audience."

12. ADJOURNMENT

The next regularly scheduled meeting of the Mayor and Council will be held on Monday, October 13, 2003, at 7:30 p.m. in the Mayor and Council Chambers, City Hall, 255 W. Alameda, Tucson, Arizona.